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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/909,523	07/20/2001	Toshio Kazama	AB-1148 US	9673

24251 7590 04/29/2003

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EXAMINER

NGUYEN, TUNG X

ART UNIT	PAPER NUMBER
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2829

DATE MAILED: 04/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/909,523

Applicant(s)

KAZAMA, TOSHIO

Examiner

Tung X Nguyen

Art Unit

2829

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2003.
- 2a) ☐ This action is **FINAL**.
- 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 9, 11 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9, 11 and 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2, 3
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. Applicant's election of species B of figure 9 including claims 1-7, 9, 11-12 in Paper No. 6 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
2. Claims 8, 10, 13-15 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species B of figure 9, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 6.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings of **species B of figure 9** must show every feature of the invention specified in the claims. Therefore, the **"one highly electrically conductive layer formed over said core wire"** must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

4. Claim 9 is objected to because of the following informalities:
As to claim 9, in line 20, "potion" should read --- portion ---. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1-7 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

As to claim 1, lines 6-7, there is not "**electrically conductive layer form over said core wire**" shown in species B of figure 9.

To apply art examiner assumes that the electrically conductive layer is the circuit terminal shown in the species B of figure 9, and a last turn of the coil wire at said free end having a smallest coil radius.

7. Claims 1-7 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. See the explanation above.

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claim 1, in lines 6, it is unclear "said coil wire comprises a core wire". Is said coil wire different from a core wire?

It is unclear "a last turn of said coil wire at said free end having a smaller coil radius than would be possible by coiling said coil wire"

To apply art examiner assumes that the electrically conductive layer is the circuit terminal shown in the species B of figure 9, and a last turn of the coil wire at said free end having a smallest coil radius.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Kazama (u.s.p 6,150,616).

As to claims 1-7, Kazama discloses in Fig. 7-11, a conductive coil contact member (14) having at least one tapered end consisting of a plurality of turns of coil wire having a progressively smaller coil radius toward a free end (clear on figs) thereof wherein: said coil wire (14b) comprises at least one highly electrically conductive layer

(6a, 6), a last turn of said coil wire at said free end having a smallest coil radius (clear on figs 7-11).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 9, 11, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kazama (u.s.p 6,043,666), in view of Kazama (u.s.p 6,150,616),

As to claims 9, 11-12, Kazama (u.s.p 6,043,666) discloses in Figs. 2-3, a contact probe head, comprising: a holder (plate 1 covers the 3) consisting of at least one plate member (1) and having at least one holder hole (covers the 3) extending across a thickness of said plate member (1); and conductive coil contact member (3) received in said holder hole (covers the 3), said coil contact member (3) having a first tapered coil end (see examiner's label) consisting of a plurality of turns of coil wire having a progressively smaller coil radius toward a free end thereof (clearly on fig. 2); an intermediate coil spring portion (4) including a compressing spring section (4a, 4b), and a second coil end (see examiner's label) which also consists of a tapered coil end consisting of a plurality of turns of coil wire having a progressively smaller coil radius toward a free end thereof (clearly on fig. 2). Kazama (u.s.p 6,043,666) does not disclose or suggest the second tapered coil end being soldered to a terminal of an external base board. However, Kazama (u.s.p 6,150,616) disclose in Fig. 7-11, a second tapered coil

end being soldered to a terminal of an external base board for transmitting the signal from the first end to the base board. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system of Kazama (u.s.p 6,043,666), and soldered the second end to the board, as taught by Kazama (u.s.p 6,150,616) for transmitting the signal from the first end to the base board.


Conclusion

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung X Nguyen whose telephone number is (703) 305-3337. The examiner can normally be reached on 8:30am-5:00pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamand Cuneo can be reached on (703)-308-1233. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5841 for regular communications and (703) 308-5841 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

TN
April 14, 2003


KAMAND CUNEO
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